

# “The Talke of the Towne”: News, Crime and the Public Sphere in Seventeenth-Century London

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## **Acknowledgements**

I would like to thank Mark Jenner, Helen Smith, Simon Ditchfield, Lucy Sackville, Jim Sharpe, Bill Naphy, and Antonis Liapis for reading versions of this article. I would also like to thank those who listened to versions of this at conferences and provided useful comments; Ioanna Iordanou deserves a special mention here.

## **Abstract**

This article reconsiders ideas of the public sphere in the seventeenth century, by focusing on how public opinion is shaped by the movement of information between media and between receivers. It contends that the scholarly preoccupation with a public sphere viewed exclusively in terms of politics obscures the fact that contemporaries did not distinguish between politics and subjects such as crime in their newsgathering. Examining the case study of James Turner, a burglar in the 1660s who became a cause celebre in London and beyond, this article shows how crime news were eagerly exchanged, informing discussions and constructing public opinion.

## **Keywords**

Public Sphere; News; Crime; Media; London

## Main Text

Between 1659 and 1670 the London barber Thomas Rugg kept a manuscript diary, titled ‘Mercurius politicus redivivus, or A collection of the Most Materiall Occurances and Transactions in Publick Affaires’. The title advertised this diary as a revival of *Mercurius Politicus*, the weekly printed newsbook appearing between 1650 and 1660. The journal itself was a compilation from newsbooks, other printed materials, as well as personal letters and comments. At the beginning of the journal, Rugg stated that it was “for my owne satisffection as of such frinds as shall happen to have a prusall hereof”, to “faithfully and impartially to committ the same [“passages of state and other occurences”] to writing by way of a diurnall, that after ages may learne constancie from these our inconstant revolutions that have so long had the prodominicy in the nations”.<sup>1</sup> Evidently, Rugg considered that his act of preserving the news would allow contemporary and future audiences to glean important lessons from it.

Rugg’s diary has been used by Restoration historians attempting to recreate the political atmosphere of this period.<sup>2</sup> As early as the 1960s the American political historian W. L. Sachse edited part of it and used it as a source for political history. Sachse appreciated Rugg’s emphasis on political issues, mentioning that Rugg “is primarily concerned with recording events of national importance”, with a particular focus on London: Sachse indeed characterised this journal as a “London chronicle”.<sup>3</sup> However, Sachse revealingly deplored the fact that Rugg also included information on crimes committed, and often in considerable detail: “the journal is also sprinkled with such ‘yellow press’ items as murders (including the dispatch of unwanted infants), robberies, and other illicit activities of the London underworld... His treatment is often so detailed that one may suggest that he rather relished this category of news”.<sup>4</sup> The term “yellow press items”, which refers to sensationalist crime reporting of the Victorian era, is clearly meant to denigrate this kind of news.<sup>5</sup> Sachse’s explanation for Rugg’s recording of this news is that he must have “relished” it, a word that conjures enjoyment and entertainment.

This tendency to ignore the influence of crime reporting in news culture is shared by many historians of the public sphere in the seventeenth century, who focus on political issues. In contrast to this approach, this article has two aims: the first is to show that historians should expand their understanding of what constitutes “public affairs” to incorporate a broader range of subjects, such as crime. This will make apparent the connection between

publicising (the process of spreading information) and the shaping of public opinion. Rather than resurrecting the Habermasian model of the public sphere, with its proposed chronology, its emphasis on the bourgeoisie and on rationality, its insufficient acknowledgment of gender, its spatialisation of the public sphere, and its treatment of “the public” as a mass subject, I draw on Filippo De Vivo’s concept of a “Triangle of Communication”.<sup>6</sup> This model focuses on the ways in which information was communicated and argues that people from different backgrounds could participate in public affairs by exchanging information and reflecting on it. As this article will demonstrate, information about crime was widely and eagerly discussed, and crime news was exchanged and commented upon frequently. People’s interest in sharing not only news but also opinions about crime suggests that such news was constitutive of the news culture and public opinion in this period.

The second aim of this article is to show how public opinion was influenced by the movement of information between media and between receivers. By focusing on the interplay of different media, this article will go beyond the usual emphasis of crime historians on print and place emphasis on communication instead. An exclusive focus on print cannot show how news circulated, since -as I will show- in many cases crime publications appeared significantly later than the events they described. Examining how accounts of criminals and their actions were exchanged also provides a fuller picture of how people engaged with crime news, not as an act of passive reception but of appropriation for different aims.

Such an approach will challenge the usual focus of the historiography of the public sphere on political issues. This scholarship has employed Habermas’s much-criticised but still extremely influential concept of the “public sphere”, reformulating it to fit earlier historical periods and different contexts.<sup>7</sup> Thus, Peter Lake and Michael Questier have examined how political and religious polemicists in the Elizabethan period occasionally appealed to public opinion when it suited their interests to do so, while at other times they excoriated their opponents for their ‘popularity’.<sup>8</sup>

Most often, the emergence of the “public sphere” has been dated to the 1640s, characterised by the proliferation of printed materials. These print publications communicated information to a broadening reading public, allowing (and requesting) participation in political dialogue. Consequently, it has been argued that they played an important role in the outbreak of the English Civil War.<sup>9</sup> Joad Raymond has argued for the emergence of “a ‘public sphere’ of popular political opinion” in the 1640s, while Steve

Pincus has asserted that “a public sphere in the Habermasian sense did emerge in later seventeenth-century England, precipitated largely by a thirst for political discussion and a desire to preserve English liberties”.<sup>10</sup> This scholarship has drawn a connection between the multiplication of printed news and the establishment of specific fora of discussion (especially coffee-houses) and the formation of public opinion, as this confluence of social space and reading material presented people with opportunities to process information and judge it. For the most part, scholarship has eschewed Habermas’s emphasis on reason and disinterested discussion, by acknowledging the role of polemic (often serving religious or political objectives) in opening up a space of debate.

Nonetheless, recent work on the mid-seventeenth century public sphere still assumes that it was constructed and operated only in response to specifically political issues. This becomes apparent if we consider that the debates about the public sphere in the seventeenth century are viewed as part of the debates between revisionism and post-revisionism in political history.<sup>11</sup> Surprisingly, this approach ignores the fact that Habermas also identified a “public sphere in the world of letters already equipped with institutions of the public and with forums for discussion”, which was more inclusive than the political public sphere, and which predated it.<sup>12</sup> This has been accepted by scholars of the eighteenth century, who have analysed the public sphere in terms not only of politics, but also of taste and science.<sup>13</sup>

Historians of the seventeenth century need to appreciate how much crime stories are part of the news culture in this period, and by extension part of what constitutes “public affairs”. Crime reporting –with the exception of treason trials- has been insufficiently integrated into discussions of the seventeenth-century public sphere, or the formation of public opinion. This is due to some of the main assumptions underpinning the historiography of crime, namely that writing on crime in the sixteenth and seventeenth centuries was published to entertain, whereas crime publications in the eighteenth and nineteenth centuries identified crime as a serious social problem. Even though historians of crime in the eighteenth century do not analyse crime in the context of the public sphere, they nonetheless examine how printed materials on crime influenced public attitudes and legislation on crime.<sup>14</sup> In doing so, these scholars chart the evolution of crime publications from earlier - “entertaining”- accounts to crime reporting. The website of *The Proceedings of the Old Bailey* specifically characterises accounts of crime in the sixteenth and seventeenth centuries as “inexpensive publications ... designed to entertain”.<sup>15</sup> Similarly, Richard Ward argues that “the largely fictionalised and picaresque accounts of individuals that predominated in the

seventeenth century came to be replaced in the following century by avowedly more factual accounts which addressed crime in the round".<sup>16</sup>

Even though scholars of crime in the seventeenth century think that such publications could have serious repercussions, they have accentuated the tendency to exclude accounts of crime from news reporting by focusing on the generic elements of these representations. Thus, Peter Lake's examination of murder pamphlets focuses on how Puritan ministers popularised their religion, Lincoln Faller analyses specific myths of the criminal, Frances Dolan examines representations of gender and Alexandra Walsham mines these texts for references to Providence.<sup>17</sup> In this, they share insights with literary scholars who examine rogue literature. Rogue pamphlets were accounts of crime published in the sixteenth and seventeenth centuries narrating the exploits of criminals in London and often providing taxonomies of criminals. Literary scholars have argued that these publications presented a fictional criminal underworld and that thus turned the poor or the criminal into the "Other" of respectable society.<sup>18</sup>

Andrea McKenzie has argued against this approach, by claiming that in the seventeenth century the criminal was considered as "Everyman", a person whose sins were shared (albeit in a lesser form) by everyone.<sup>19</sup> Nonetheless, both approaches are interested in the generic elements of such accounts, rather than news reporting. This is further exemplified in McKenzie's statement that crime publications in the seventeenth century "were formulaic documents, scripted both by convention and the demands of their audience".<sup>20</sup> Conversely, this article intends to examine a case study in order to focus on the communication of news about a criminal; this analysis will show the ways in which news could be disseminated through various media and provide a different perspective on the public sphere.

These issues will be explored through the prism of the trial of James Turner, imprisoned and executed for burglary in 1664. This is an exceptionally well-documented case, which provides evidence of printed and oral transmission of news, starting from London but spreading to the rest of the country. Additionally, even though this was a crime case, news about it not only circulated widely, but was also deemed sufficiently important for people to comment on the case and judge the behaviour of those involved in it, and for government officials to feel concern that this case could subvert law enforcement, and by consequence undermine the legitimacy of authority. In this way, this case illustrates in

miniature how information about crime was constitutive of news culture and allows for a different approach to what constitutes the “public”.

## **James Turner: Crime and Publicity**

James Turner was executed for a burglary in January 1664. Having befriended Francis Tryon, an elderly merchant in Limestreet, Turner proceeded to break into his house along with three others on the night of January 7 1664: they bound and gagged Tryon and stole £5,000 in money and jewels. However, Turner was arrested on January 8 having in his possession part of the stolen goods. Even though Turner initially claimed that he was only attempting to negotiate with the thieves, in the trial he was forced to admit his guilt. Turner was not a typical criminal: he was a solicitor who had fought in the Civil War as a Colonel and it is clear he had a reputation as a ‘hector’, a term used for rowdy Royalists.

Even though he was already known, this case turned him into a cause célèbre: six pamphlets detailed his life and trial. Turner was also mentioned four times in the two newsbooks allowed to be published in this period, and we can find references to his case in diaries and correspondence, showing that his case became particularly well-known. This flurry of publications was unusual, but it was part of an emerging trend of criminals becoming cause célèbres: from the 1650s, the number of criminals who became cause célèbres was increasing, following the expansion of cheap print with the Civil War. Criminals such as James Hind, Richard Hannam and Claude Du Vall caused ripples and elicited the publication of numerous pamphlets about their cases while more such criminals appeared in the later seventeenth century.<sup>21</sup> What is particularly interesting about this case is that we have evidence of the oral dissemination of news as well as printed materials, and this allows us to examine how people exchanged and responded to this piece of news.

Our investigation will begin with the six pamphlets published about Turner, which recounted his life, trial and execution. Printed pamphlets are the most likely to be preserved source, compared to word of mouth, and for this reason they are most commonly used by historians. However, in this case, pamphlets appeared long after other media had taken up this trial. By examining pamphlets separately, historians are not considering how connected these publications were to the news culture. This is often due to lack of evidence, as it is difficult to find information about oral dissemination. This is what makes this case so

significant for our purposes. Even though by examining them first, this article may seem to follow a similar approach, the main aim for doing so is to show that, whereas there are specific elements in the pamphlets that lend themselves to the examination of generic qualities, these pamphlets also presented similar information about this crime as other media.

The majority of the pamphlets were published after Turner's execution (January 21), but no later than early March, since they gave as date '1663' and the year traditionally ended on March 24. The only exception in both respects is *The several examinations and tryal of Colonel James Turner*, which did not have a date of publication. Since this pamphlet does not mention Turner's execution, however, it is possible (but not incontrovertible) that it was written before 21<sup>st</sup> January.<sup>22</sup> Judging by mentions in the newsbooks (which we will explore below), it is likely that the pamphlets were printed as quickly as possible. This would make sense financially, since publishers wished to exploit the public interest in Turner. Four of the texts presented themselves as reportage of the trial and execution with three of them, *A true and impartial account of the arraignment, tryal, examination, confession and condemnation of Col. James Turner* (1663), *A relation of the tryal and examination, of Collonel James Turner* (1663) and *The several examinations and tryal of Colonel James Turner* (1663) detailing Turner's trial, some of them almost verbatim, a no mean feat for a trial that – according to one of the pamphlets- lasted 2 hours.<sup>23</sup> *The speech and deportment of Col. James Turner at his execution* (1663) described only the execution and the dying speech.

None of these four pamphlets includes an editorial introduction or publishers' address to the reader. For example, *A true and impartial account* (1663) started with the words "The tryal of James Turner, &c" and provided a straightforward narrative of the trial without any embellishment or editorial intervention. The pamphlet employs a format common in early modern plays, by including the name of the person who spoke, and then their words, giving the impression that it is a verbatim account. The little-known pamphlet *A relation of the tryal and examination, of Collonel James Turner* (1663) narrated the same examinations, but in a far more concise manner: this pamphlet was 16 pages long, whereas *A true and impartial account* (1663) consisted of 86 pages.

The remaining two pamphlets fall into the category of criminal life-and-death narratives, presenting the trial and execution, but framing them with details of Turner's earlier life. *The Triumph of Truth* had an editorial which highlighted the moral function of the pamphlet, stating that "the Remembrance of the Wicked should not be forgotten".<sup>24</sup> Both

pamphlets included jocular details about Turner's exploits which they characterised as "pranks" or "mad frolicks".<sup>25</sup> In one story about a previous trial of Turner at the York Assizes, the pamphlet described how Turner laid a wager of £5 that he would be hanged on this occasion. When asked by the Court to explain why he was taking the trial so lightly, Turner's response was characteristic of a kind of gallows humour common in these kinds of publications, which linked them to jest books and ballad culture: "If he liv'd he did not value the 5l, and if he died it would serve to buy Gloves and Ribbands for his friends".<sup>26</sup> Nonetheless, a moralising tone frames the pamphlets, with statements such as "these and the like Comical Frolicks have ended very tragically like a pleasant way leading to destruction".<sup>27</sup>

This previous trial at York, or such humorous details were not mentioned in any of the other printed accounts about him, and it is likely that the authors were adding elements gleaned from other criminals' lives. These pamphlets attempt to glamourise Turner, in the fashion of highwaymen or rogue narratives. In such accounts, the criminals' actions are depicted as jests, humorous stories of criminals tricking their victims. The other common element in highwaymen narratives is the portrayal of criminals as willing to go cheerfully and bravely to their death.<sup>28</sup> These elements do not seem to conform to the story of Turner, a solicitor by trade who was executed for burglary. Consequently, the two pamphlets are closer to the model of "formulaic" accounts described by McKenzie. Nonetheless, in both pamphlets, the account of his trial and execution follow the same narrative as the other texts on Turner, regardless of the additions.

The fact that most of those pamphlets were published after the execution, and thus were not contemporaneous with the events described, and that some of them contained (probably) fictional elements, is arguably the reason why such pamphlets are not categorized as news. However, if we examine the circulation of information about Turner through word of mouth and manuscript and printed news, it becomes apparent that these pamphlets participated in the news culture and interacted with other media reporting on the same events.



## Crime, Communication, and Public Opinion

Even though the first mention of Turner's name in newsbooks is on January 18, and printed pamphlets after the 21<sup>st</sup>, it is clear that news about the robbery started circulating through word of mouth soon after the fact. The robbery happened on Thursday 7 January, and by Friday the story was making the rounds. People meeting for business (at the Guildhall or the Exchange) or pleasure (at coffeehouses or friends' houses) talked about Turner. Thomas Aleyn, the alderman who prosecuted Turner, "heard of this Robbery at Guild Hall" on Friday 8 January; this prompted him to go to Tryon's house and set in motion the chain of events described above. On the same day, Sir Thomas Chamberlain, a witness at the trial, "called in at the Coffee-house [at the Exchange], and there heard that Mr Tryon was rob'd". Finally, one of Turner's friends informed him on Saturday 9 January "that it was all the News upon the Exchange that you have been in a Robbery".<sup>29</sup>

By Saturday afternoon, James Turner was arrested and the news continued to spread. Samuel Pepys mentions Turner in six different occasions from January 10 to 21, when Turner was executed. On Sunday the 10<sup>th</sup>, Pepys went to a family dinner at his uncle's Wight's house. Wight was a prosperous fish-monger, living in St Andrew Undershaft, the same parish where the robbery had taken place. Pepys commented that "All our discourse tonight was about Mr. Tryan's late being robbed and that Collonell Turner ... was the man that either did it or plotted it; and the money and things are found in his hand and he and his wife now in Newgate for it."<sup>30</sup> The next day, more information surfaced that Turner had tried to counterfeit Tryon's will, using the help of Abraham Gowrie Granger, a notorious forger. Pepys commented that he went to the Coffeehouse and discussed various topics: "Musique, the Universall Character-art of Memory- Granger's counterfeiting of hands- and other most excellent discourses".<sup>31</sup> He also noted down that "The general talk of the towne still is of Collonell Turner, about the robbery; who it is thought will be hanged". The involvement of Granger may have helped make the case more notorious, since Granger was an infamous counterfeiter, who had assisted Colonel Robert Thorpe to enact a massive fraud, counterfeiting warrants from public treasuries for large sums of money.<sup>32</sup> Granger was arrested in 1654, but in 1663 he was at liberty and attempts were made to arrest him again. Even though there is no conclusive evidence that Granger was actually connected to this case, his inclusion made this an even more intriguing story.

Turner's trial at the Old Bailey, on 16 January, gave new impetus to the news relating to this case. On that day, Pepys mentioned that he went to the Exchange and the Coffee-house, where he heard news about Turner's trial. However, he was misinformed: he was told that Turner was found guilty of felony only, which, as he comments, "will save his life". This was a mistake, since Turner had been convicted of Felony and Burglary, and thus was going to be executed.

On 18 January, the first newsbook report of Turner's case appeared. The *Intelligencer Published for the Satisfaction and Information of the People* reported on the Sessions of the Old Bailey on 16 Jan: "This Day there has been a famous Tryall of One James Turner, at the Sessions in the Old-Bayly, who stood Indicted for Burglary, and Felony, and is Cast."<sup>33</sup> There is no analysis of the case, but on the same day, Pepys received more information on Turner's appearance at the bar: "strange stories of his confidence at the Barr, but yet great indiscretion in his argueing. All desirous of his being hanged".<sup>34</sup> The "strange stories" were probably accurate, or at least are mirrored in the pamphlets written about Turner which claim that Turner did not accept any of the accusations against him, but kept protesting his innocence and refuting the words of the witnesses.<sup>35</sup> Pepys' is explicit in mentioning everyone's desire to see the man hanged: it is clear that this was a topic about which news was shared and opinions expressed.

Pepys did not stop there, but kept hunting for inside information on Turner's case. Going to the Exchange on 20 January, he spoke to Sir Richard Ford, one of the Sheriffs at Turner's trial, who not only told him 'with what impudence he hath carried out his trial' but also more personal information: on the previous day, Ford had been the one who brought news of the date of execution to Turner. According to Ford: "he begin to be sober and shed some tears, and he hopes will die a penitent,... but says it was partly done for a Joco, and partly to get an occasion of obliging the old man by his care in getting him his things again, he having some hopes of being the better by him in his estate at his death".<sup>36</sup> The idea that Turner was not being serious was mentioned in *A true and impartial account*, where Turner claimed that he had never wished to counterfeit Tryon's will. Even though the witness William Hill claimed Turner had made this suggestion, Turner disagreed claiming that he was just "jesting with him".<sup>37</sup>

It should be obvious that Turner's trial had attracted a lot of attention, with people gathering in public and private spaces to discuss this notorious case. The event was deemed significant enough to appear in one of the London newsletters that Thomas Salusbury sent to Theophilus, seventh Earl of Huntingdon. On 20 January, Salusbury commented in disgust that "The traitors at Yorke have been tried, and twenty odd condemned, but all those make not so much noise as one sole Turner, the London hector condemned for burglary for a notorious robbery committed ... This famous or more properly infamous bravo hath attracted upon him the odium of all sorts of people to a strange degree".<sup>38</sup> Salusbury compares a political event, the trials of the Farnley Wood Plot conspirators in York, and a criminal trial. The Farnley Wood Plot was a failed scheme to overturn the monarchy, leading to the execution of twenty conspirators on January 16, the same day as Turner's trial.<sup>39</sup> This was a significant event only four years after the Restoration, when the monarchy was not so well established. It is possible that Salusbury was exaggerating in his exasperation with people's tastes, but it is unlikely he made it up. His comment suggests that a criminal trial could be more appealing or news worthy than contemporary political events.

On the morning of 21 January, the day of Turner's execution, the newsbook *Newes Published for Satisfaction and Information of the People* also reported on the sessions: "The Sessions at the Old-Bayly ended last Night; Where there were 16 Condemn'd, and among the Rest one James Turner, of whose Case (*how Remarkable soever,*) I shall say nothing more, then that the Particulars are expected shortly to be made Publique."<sup>40</sup> This newsbook seems to tease the reader by withholding information on Turner, while announcing the publication of a pamphlet, which would give further information. Other newsbooks, as we will see, opted to say little about the case because a longer narrative would appear. These mentions show that pamphlets were considered an extension of other forms of news reporting.

After so much interest in the case, it is no surprise that the execution of Turner drew an impressive crowd. One pamphlet commented "great was the Confluence of People all the way he passed along the streets, the Windows being so thronged as hath not been known in the memory of Man upon the like occasion".<sup>41</sup> Pepys estimated that "it was believed there was at least 12 or 14000 people in the street", which is perhaps an exaggeration, but still significant.<sup>42</sup> Pepys actually witnessed the execution: after sending his wife to see the execution in the morning, "at noon, going to the Change and seeing people flock in that, I enquired and found that Turner was not yet hanged". Apart from the fact that the Exchange had previously been buzzing with news about Turner, it is likely that close proximity of the

place of execution (at the corner of Lime Street and Leadenhall Street, a ten-minute walk) would have increased the interest of those gathered at the Exchange. Pepys must have felt so, since he followed others to the site of execution and ended up standing on the wheel of a cart in order to see what happened. Even though Pepys had been very vocal about his dislike of Turner earlier, on this occasion he noted that “A comely-looking man he was, and kept his countenance to the end- I was sorry to see him”.<sup>43</sup>

That day everyone seemed to be talking about Turner: in the evening, Pepys went to the Coffeehouse, where he heard “the full of Turner’s discourse on the Cart”. What he heard was very similar to what is narrated in the pamphlet *The speech and deportment of Col. James Turner*: how Turner attempted to clear himself of everything said against him, apart from the burglary, and that he spoke for a long time in the hope of receiving a reprieve at the last moment. At dinner, Pepys spoke again about Turner’s case with his physician Dr Burnett, who had another piece of news to share: the Sheriffs had tried to keep one of the jewels stolen by Turner, instead of returning it to its owner: “how poorly the Sheriffes did endeavour to get one Jewell returned by Turner after he was convicted, as a due to them, and not to give to Mr Tryan the true owner; but ruled against them, to their great dishonour”.<sup>44</sup> This was a juicy rumour, since it showed that the men who were expected to uphold the law could be corrupt.

Thomas Rugg, whom we encountered at the beginning of this article, also commented on this case. Even though he was a staunchly Royalist diarist, he dedicated far more space to Turner’s case in his diary than to the York conspirators (which received only a brief mention). Rugg wrote on the day of Turner’s execution, and commented sarcastically on his dying speech. According to Rugg, Turner “made a long speech”, claiming that he “robed his dear freind Mr Tryon it was only to indeare him the more, with an intent to give it him againe because he thought hee might be robed in earnest (*but hee took it in earnest*) then hee proceeded how *justly faithfully honestly* hee had served the king in the war between the late king and the parliament”.<sup>45</sup> Apart from the analysis of the dying speech, it is equally interesting that Rugg -who was not a wealthy commentator, but a London barber- felt compelled to add his own comments on the case.

It took four days for the execution to be mentioned in a newsbook: *The Intelligencer* reported that “Upon Thursday Last, One James Turner was executed in Leaden-hall-street, for a notorious Burglary; The Particularities whereof are to be seen at Large in a Narrative,

both of his Tryal and End”.<sup>46</sup> This again highlighted the fact that a bigger pamphlet either had already appeared, or would appear, and possibly acted as an advertisement for it.

The two newsbooks which mentioned the case were edited by Roger L’Estrange, the main propagandist of the monarchy, and the Licenser of the Press in this period.<sup>47</sup> Even though we have seen that his newsbooks anticipated the appearance of pamphlets about Turner’s case, it is clear that not all pamphlets met with his approval. On 28 January, *Newes Published for Satisfaction and Information of the People* published the following correction: “There was lately Published a Relation of the Tryal of James Turner, Pretending to be Licensed by Roger L’Estrange, wherein my Lords the Judges were in many places grosly Misrepresented. The Reader is desired to take notice, that the said Tryal was Publish’d without either the Allowance, or the Privity of the said L’Estrange”. This mention shows how a crime pamphlet could blur the line between politics and crime by representing the execution of justice in terms that were not acceptable to representatives of the status quo.<sup>48</sup> A month later, on 29 February, the Secretary of the State signed a “Warrant for Henry Marsh and Francis Leach to appear before the Secretary Bennet”.<sup>49</sup> Marsh had published at least three of the pamphlets relating to Turner: *A true and Impartial Account; The Speech and Deportment of Col. James Turner; The Triumph of Truth*, and -it is likely- *A relation of the tryal and examination, of Collonel James Turner* (published for “H.M.”). The two events are not necessarily related, but it is tempting to think that the reason for Marsh’s appearance before Secretary Bennet was his publishing of Turner’s pamphlets.

L’Estrange had reason to be worried about criticisms of the government relating to the execution of justice. In October 1663, L’Estrange had helped the arrest of John Twyn, for printing the pamphlet *A Treatise of the Execution of Justice* (1663).<sup>50</sup> This pamphlet argued that “the execution of Judgement and Justice, is committed partly to the People, partly to the Magistrates” but then used this to justify revolt against the King, since he did not uphold the law.<sup>51</sup> Even though this was a more clear case of political issues, the fact that one of Turner’s pamphlets also caused consternation to L’Estrange is particularly illuminating of the importance of crime in relation to political considerations. In the 1660s the restored monarchy attempted to monopolise the publication of news, by allowing initially only two newsbooks to be published, those edited by L’Estrange. This tendency became more pronounced in 1665, with the publication of the Oxford Gazette by Joseph Williamson, the Undersecretary of the State. Scholars who examine censorship and the control of news in this period focus on this monopoly of newsbooks and newspapers, but this example shows that

pamphlets reporting on crime could also threaten the authorities, and were more difficult to control.<sup>52</sup>

Regardless of the particular problems one of the pamphlets created, the information about this trial clearly became well known. Even those who were further away from London and its news learned about it. We have already seen how the Earl of Huntingdon read about this case in the newsletter he received from London. But even a less affluent person, such as the clergyman Ralph Josselin in the Essex village Earls Colne heard this story, and briefly commented on 30 January in his diary that “a freind robd his freind at London and hangd for it, called Col. Turner. Lord deliver us from unreasonable men”. This comment shows both that crime news from London were deemed significant enough to reach quickly other places, but also that this news was framed according to the mental universe of each listener.

Turner’s was an exceptionally well-documented case, but there is evidence of extensive interest in news about crime more broadly, both in printed and manuscript sources for this period. From the 1670s, crime publications increased and were complemented by the semi-official and serialised publication of *The Proceedings of the Old Bailey*.<sup>53</sup> Even though seventeenth-century newsbooks reported only sporadically on crime, there was an increasing tendency to include advertisements about stolen goods. The *London Gazette* often included advertisements for the retrieval of stolen property, or apprehension of wanted men or women.<sup>54</sup> These advertisements, as Dawson argues, were not just meant for information, but also as a call for action, to help apprehension or return of the goods.<sup>55</sup> Consequently, they attempted to engage with the public, and also often to prompt the public to engage actively with their news.

The fact that news about crime featured in diaries also shows that such news circulated and was deemed sufficiently important to be preserved. As we have seen, Rugg and Pepys considered crime newsworthy, jotting down references to it which he had gleaned either from printed material or word of mouth.<sup>56</sup> The interest in news relating to crime was not limited to crime stories, but also included crime statistics. Narcissus Luttrell in “A Brief Historical Relation of State Affairs from September 1678 to April 1714” recorded news from the sessions of the Old Bailey repeatedly. Luttrell was often interested in individual cases, usually of those accused of high treason. However, from his practice of also writing down how many people were tried at the sessions, how many of them men and women, and how many were hanged were, we can safely deduce that he considered such events relevant to a

cataloguing of “state affairs”.<sup>57</sup> Consequently, we can see that through reading, discussing and referencing crime in diaries people showed a willingness to not only learn such news, but also to analyse its significance. This suggests that this was a topic of serious discussion, and of exchanging information and opinions.

## Conclusions

There are a number of conclusions to be drawn from this material: the first point is that there were various channels through which people could learn information about crime, and that these different media were in dialogue with each other. Even though the initial burst of information came from word of mouth, written and printed news followed quickly in its wake, and all of them relied on each other for verification or elaboration. Apparently, word of mouth was complemented by the reading of newsbooks, newsbooks anticipated the publication of longer narratives, while pamphlets were published when sufficient interest had been aroused for a case.<sup>58</sup> From this case, we can also see that the extent to which different readers depended on print changed based on where they lived. Londoners for the most part relied on word of mouth to form opinions, whereas those in the provinces responded to manuscript or published accounts of news. This may have to do with issues of evidence, but it probably suggests that public opinion functioned differently in London and the provinces, and that the extent to which printed materials were useful for the formation of opinions varied.<sup>59</sup>

This case suggests that historians examining crime publications should think of them as an element of news culture, and examine them in conjunction with other media.<sup>60</sup> Focusing exclusively on printed materials tends to obscure the extent to which these co-existed with other channels of information, and presented different sides of the story. Pamphlets attempted not only to recreate the story, but also the life of the individual. Often, the authors provided real detail; but they also had a sophisticated repertory of commonplace stories and tropes (such as the trope of the highwayman), which could be employed in such narratives. Such creative adaptation of cultural materials should not, however, make us think that pamphlets were not viewed as news. Admittedly, some stories presented in pamphlets could be fanciful;

however, readers had recourse to other sources to corroborate the truthfulness of their news. Additionally, newsbooks advertised these publications in the context of news about the case; thus, pamphlets contributed to and extended a culture of public debate and the exchange of knowledge.<sup>61</sup>

The second point relates to the reception and use of this piece of news: as we have seen, different people understood and employed the information they received differently, based on their own concerns. This particular case clearly elicited many responses, even though the narrative was reworked appropriately in each case. Pepys, always interested in news, followed this case not only for the information it provided, but also for its value as something that could be exchanged in sociable occasions.<sup>62</sup> Rugg had the same aims, but was also interested in presenting news for the instruction of future audiences. L'Estrange viewed this case as an issue of legitimacy and potential challenge to the status quo, something that reminds us that crime news could have significant political repercussions, regardless of the author's intent.<sup>63</sup> Thomas Salusbury used this as a piece of London news to include in his newsletter, but also as a way to indict public tastes. Finally, Ralph Josselyn understood Turner's case as a good example of how human relations could break down for reasons that did not seem logical, and we can imagine from his phraseology that this example could be employed for religious instruction of his parishioners. Regardless -or, perhaps, because- of the fact that this case meant different things to different people, all of those mentioned felt that it was worth not only recording, but also commenting on and judging. These insights allow for a reconceptualization of crime publications in the seventeenth century, since they show that information about crime in this period did not function solely as entertainment, and did not only deal with general truths, but actually influenced public opinion, not by inciting debates, but by providing news that was digested in different ways and bridged the gap between public and private discourse.

This brings us to my final point, that there is no reason to conceptualise "public opinion" as something exclusively related to politics. By focusing on the interplay between different media and how audiences created meaning by using and judging this information, we are better able to understand not only the public nature of crime reporting, but also how this reporting constructed different kinds of public discussion and public opinion, which are not limited to the idea of the political public sphere. In this respect, it is more fruitful to turn to the Italian context for a different way of conceptualising news, which is based on communication rather than on a distinction between public and private.



Examining how communication spread in Venice, Filippo De Vivo focuses on the interaction between different actors in disseminating and receiving news, which he terms the “Triangle of Communication”. Historical actors hailed from three levels, the “authorities, the political arena, and the rest of the city”.<sup>64</sup> These actors –which included lower-class barbers, merchants, and women- exchanged information and news because they had vested interests in doing so, and they recognised the value of information for reasons that were not necessarily political: for some of them, keeping abreast with current news was a way to attract customers, while for others this information could influence financial decisions.<sup>65</sup> De Vivo also acknowledges the interplay between printed and oral news in disseminating information, a contention that this article shares. This different conceptualisation allows for broader dissemination and exchange of information.

Even though De Vivo’s model is about politics specifically, it provides an alternative -and more useful- way of thinking about how communication worked in this period. Employing De Vivo’s model and showing how crime news was discussed and disseminated highlights that crime was newsworthy and that information about it affected public opinion. This case is a good example of how information that did not originate from Parliament or the Court could be circulated, something that agrees with De Vivo’s view that the exchange of information was not unidirectional, from top-down. Here, the main locus from which initial, oral information disseminated was the Exchange, an urban space where merchants gathered to exchange not only goods, but also news relating to politics and trade.<sup>66</sup> As we can see in this case, other kinds of news were also disseminated from the Exchange and found their way into coffeehouses, friends’ houses, newsbooks, newsletters and pamphlets. Thus, this article suggests an expanded notion of ‘public affairs’ and the news culture.

Considering that the 17<sup>th</sup>-century news culture was not an undifferentiated whole, but could and did incorporate different kinds of news reporting and opinion making can help us think more fruitfully about what constitutes “the public”-and how contemporaries understood the term. The aim of this article has been to show that in discussions about the formation of public opinion, we need to also include how people engaged with news about crime. In this way, we will avoid creating an artificial distinction between politics and crime, which is not evident in the way contemporaries understood “public affairs”.

This article urges scholars of the seventeenth century to go beyond the “public sphere” as it has been conceptualised and acknowledge the ways in which public opinions -in

the plural, in order to avoid treating “the public” as a unified subject- were shaped through various kinds of information. And, to return to our criminal: we can be surprised that people spent so much time discussing the case of an “infamous bravo” but we should not ignore it when discussing news and public opinion.

**Word Count:** 8865 words

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<sup>3</sup> Sachse (ed.), *The diurnal of Thomas Rugg*, p. xv.

<sup>4</sup> Sachse (ed.), *The diurnal of Thomas Rugg*, p. xvi.

<sup>5</sup> David R. Spencer, *The Yellow Journalism: The Press and America's Emergence as a World Power* (Evanston, 2006).

<sup>6</sup> J.A. Downie “Public and Private: The Myth of the Bourgeois Public Sphere” in C. Wall (ed.) in *A Concise Companion to the Restoration and Eighteenth Century*, (Oxford, 2005), pp. 58-79; Harold Mah, “Phantasies of the Public Sphere: Rethinking the Habermas of Historians”, *The Journal of Modern History*, Vol. 72:1, pp. 153-182; Filippo De Vivo: “Public Sphere or Communication Triangle? Information and Politics in Early Modern Europe”, in M. Rospocher (ed.), *Beyond the Public Sphere: Opinions, Publics, Spaces in Early Modern Europe* (Bologna, 2012).

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<sup>9</sup> Joad Raymond, *Pamphlets and Pamphleteering in Early Modern Britain*, (Cambridge, 2002), pp. 202-275; Jason McElligott, “1641” in *The Oxford History of Popular Print Culture, Volume 1: Cheap Print in Britain and Ireland to 1660*, ed. Joad Raymond, pp. 599-608.

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- <sup>22</sup> *The several examinations and tryal of Colonel James Turner* (1663 according to Wing).
- <sup>23</sup> *A true and impartial account*, p. 63.
- <sup>24</sup> *The triumph of truth: in an exact and impartial relation of the life and conversation of Col. James Turner*, p.1- even disingenuously advising readers "not to be too credulous of every report they hear of him".
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- <sup>35</sup> See, for example, *A true and impartial account*, p. 48.
- <sup>36</sup> Latham & Matthews (eds), *The diary of Samuel Pepys, Vol. V*, p. 20.
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- <sup>39</sup> Andrew Hopper, 'The Farnley Wood Plot and the Legacy of the Civil Wars in Yorkshire', *The Historical Journal*, 45: 2, pp. 281-303.
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- <sup>42</sup> *Ibid*, p. 23.
- <sup>43</sup> Latham & Matthews (eds), *The diary of Samuel Pepys, Vol. V*, p. 24.
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- <sup>61</sup> The newsbooks were published by R. Hodgkinson, who had no involvement (and thus no interest) in the publication of the pamphlets: Muddiman, *A History of English Journalism*, pp. 263-264.
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